



Docket No. 09-23-4047

DEC 03 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): SUMIDA, Shuji, et al.

Serial No.: 09/622,487

Group Art Unit: 1653

Filed: August 17, 2000

Examiner: Jeffrey E. Russel

For: PROTEIN-FREE FORMULATIONS

AMENDMENT FEE TRANSMITTALCommissioner For Patents
Washington, DC 20231

Sir:

Transmitted herewith is an Amendment for the above-identified application.

☒ No additional fee is required.☐ The additional fee has been calculated as shown below:**CLAIMS AS AMENDED**

| | Claims Remaining After Amendment | Highest No. Covered by Previous Payments | Extra | Rate | Additional Fee |
|---------------------------------|--|---|-------|------------------|-------------------|
| Total Claims* | 9 - | 20 | 0 | \$18.00/ \$9.00 | \$ 0.00 |
| Independent Claims | 1 - | 3 | 0 | \$84.00/ \$42.00 | \$ 0.00 |
| Multiple Dependent Claims | (If claims added by amendment include Multiple Dependent Claim(s) and there was no Multiple Dependent Claim(s) in application before amendment add \$280.00 to additional fee (\$140.00 for small entity). | | | | \$ 0.00 |
| TOTAL | | | | | \$ 0.00 |

*Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. §1.75(c).

☐ Small entity status is or has been claimed.
Reduced Fees Under 37 C.F.R. §1.9(f) paid herewith \$☐ _____ Pages Sequence Listing☐ _____ Computer disk(s) containing substitute Sequence Listing

- ☐ Statement under 37 C.F.R. §1.825(b) that the computer and paper copies of the substitute Sequence Listing are the same.
- ☐ A check in the amount of \$_____ to cover the filing fee is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this amendment, including all fees pursuant to 37 CFR §1.17 for its timely consideration, or credit any overpayment to Deposit Account No. 13-4500, Order No. 0263-4047. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: November 25 2002

By: _____

Eugene Moroz
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Docket No. 263-4047

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shuji SUMIDA, and Yasushi SATO

Serial No.: 09/622,487

Group Art Unit: 1653

Filed: August 17, 2000

Examiner: RUSSEL, Jeffrey E.

For: PROTEIN-FREE FORMULATIONS

AMENDMENT AND RESPONSE

Commissioner for Patents
Washington, DC 20231

Sir:

In Response to the Office Action dated May 29, 2002, Applicants respectfully submit the following Response. Filed concomitantly herewith are a Petition for an Extension of Time for three months pursuant to 37 F.C.R. § 1.13(a) and the required extension of time fee as set forth under 37 C.F.R. § 1.17(b).

Claims 1-5, 7, 8, and 10-12 are pending in the application.

Please amend the above-identified application in response to the as follows:

IN THE CLAIMS

Please CANCEL claim 10 without prejudice.

Please AMEND the claim 1 as follows:

- B1
1. A stable granulocyte colony-stimulating factor-containing formulation comprising a granulocyte colony stimulating factor having a sugar chain and at least one pharmaceutically acceptable non-ionic surfactant in an amount of 1 part by weight or less per part by weight of the granulocyte colony-stimulating factor and having a pH of 6-6.8, said formulation being substantially free from protein as a stabilizer.